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Elimination of racism and racial discrimination: comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the report of the United Nations High Commissioner for Human Rights, submitted pursuant to General Assembly resolution 56/266.

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Summary

In accordance with General Assembly resolution 56/266, the present report contains information on activities by States, the Office of the United Nations High Commissioner for Human Rights, United Nations bodies and specialized agencies, international and regional organizations, non-governmental organizations and youth groups to implement the Durban Declaration and Programme of Action [adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance].

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I. Introduction

1. In its resolution 56/266, the General Assembly requested the High Commissioner for Human Rights to report annually on the implementation of and follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance to the General Assembly and the Commission on Human Rights.

2. In this regard, reference is made to reports previously submitted on the comprehensive implementation of the Durban Declaration and Programme of Action (see A/CONF.189/12, chap. I) to the Commission on Human Rights at its fifty-eighth session (E/CN.4/2002/21), to the General Assembly at its fifty-seventh session (A/57/443) and to the Commission on Human Rights at its fifty-ninth session (E/CN.4/2003/18 and Add.1 and 2).

3. On 5 May 2003, the Office of the High Commissioner for Human Rights (OHCHR) sent notes verbales to States, United Nations bodies, specialized agencies, regional organizations and non-governmental organizations requesting information on follow-up and implementation activities undertaken in the context of the World Conference. The responses received are summarized in the present report.

II. Implementation and follow-up to the Durban Declaration and Programme of Action

A. By States

4. The Czech Republic sponsored its fourth comprehensive public information and education campaign against racism in 2002. It included a public information and media campaign at the regional and local levels called "Diversity in libraries", a presentation of field work being undertaken in Roma communities, a series of seminars and debates during an anti-racist music festival, and an interactive educational campaign in Czech secondary schools.

5. In 2002, the Government of the Czech Republic also introduced amendments to several anti-discrimination laws, including an amendment to the Code of Civil Procedure that broadens the reverse onus clause to cover discrimination in employment on several additional grounds. Civic associations are now able to represent parties in courts that hear discrimination cases and can also now request court orders following reforms to the Consumer Protection Act and the Code of Civil Procedure. An act on equal treatment and protection against discrimination (Anti-Discrimination Act) is being drafted that will provide for equal treatment and protection against discrimination on numerous grounds. The legislation will also safeguard equal treatment and protection against discrimination in employment, health care, education and access to services available to the public including housing. Roma integration is also a feature of the Government's actions. In March 2003, Government Resolution No. 243 approved the second updated version of the policy on Roma integration. The concept is to "promote conflict-free coexistence of persons belonging to Roma communities and the majority society" through removal of "external" and "internal" barriers preventing the integration of persons belonging to Roma communities, the social advancement of persons belonging to Roma communities, the development of Roma language and culture, the fostering of a climate of tolerance, and by ensuring the security of persons belonging to Roma communities.

6. The Government of Denmark reported that it has decided to establish a national action plan, with the involvement of non-governmental organizations and human rights institutions, to promote diversity, tolerance and equal treatment and to combat discrimination, as a follow-up to the Durban Declaration and Programme of Action. The action plan will also be part of the Government's immigration "integration policy" pursuant to its policy paper of 5 March 2002. The Government expects to launch its national action plan later this year.

7. The Government of Guatemala stated that it is focusing on a global strategy to combat poverty which will identify areas of action by the institutions and offices of the State. The work of these institutions will be directed at the living conditions of the population in general, and special emphasis will be placed on rural populations and those groups who are vulnerable to becoming victims of racism and racial discrimination, such as indigenous populations and women. The Government has indicated that it is dealing with the issue of contemporary forms of slavery in Guatemala as well, through long-term actions such as education, labour and judicial reform, as well as through investigations and prosecutions.

8. While HIV/AIDS is a relatively new phenomenon in Guatemala, the Government plans to focus preventive actions in the Maya, Garifuna and Xinca populations, with an emphasis on women. The Government is also introducing a number of legislative and penal reforms in parliament aimed at prohibiting and prosecuting racism and discrimination in areas such as freedom of religion, linguistic rights, labour and employment, as well as ensuring that the domestic legal framework is consistent with key regional and international instruments.

9. In March 2003, the executive branch of the Government established a Presidential Commission against Racism and Discrimination against Indigenous Peoples. The Commission will contribute to combating racism against indigenous peoples and will look at issues facing the Maya, Garifuna and Xinca populations as well.

10. The Government of Haiti noted that the General Assembly has proclaimed 2004 as the International Year to Commemorate the Struggle against Slavery and its Abolition; 2004 also marks the commemoration of the bicentennial of Haiti's independence. In this context, and in follow-up on the Durban Declaration and Programme of Action, the Government has expressed an interest in working with OHCHR in marking the year with an important commemoration or event in Haiti.

11. The Government of Namibia stated that it has adopted legislative, judicial and administrative measures to implement the Durban Declaration and Programme of Action. In addition to a Constitution that expressly prohibits racial discrimination and apartheid, Namibia is committed to policies of reconciliation, affirmative action and the promotion of human rights through civic education.

12. Through its Minister for Immigration and Integration, the Netherlands is preparing the Dutch Action Programme against Racism. This programme will be a "road map" for central government policy between 2004 and 2007 and will focus on cooperation, reciprocity and accountability. In 2002, government ministries set out their position with respect to domestic implementation of the Durban Declaration and Programme of Action. They have found that while most Dutch legislation complies with the Programme of Action, there are sufficient points of departure for developing a Dutch Action Programme, in cooperation with civil society, by the end of 2003.

13. Through its Ministry of the Interior, Switzerland is focusing on discrimination in labour and employment which it deems an essential factor in integration. In 2004, it will provide financial support for pilot projects dealing with discrimination in work and employment. It is also preparing a publication on measures to combat racism in the world of work, *Un monde du travail sans discrimination – Mesures de lutte contre la discrimination dans le domaine de l'emploi* (*A world at work without discrimination – Measures to combat discrimination in the workplace*) and a national colloquium in to be held in Berne on the same issue. Other public information activities include various publications, badges "*Pour les droits de l'homme – Contre le racisme*" ("For human rights – Against racism") and the publication on a new Internet web site of addresses of centres that provide information to victims of racism and assistance in cases of conflict.

14. The Government of Switzerland is also committed to a systematic review of racist attitudes and racial discrimination. There is a national research project, "*Extrémisme de droite : causes et contre-mesures*" ("Right-wing extremism: causes and counter-measures"), under way which is looking at long-term measures to combat

public racist and xenophobic attitudes. It will also increase its focus on racism on the Internet and the protection of migrants from discrimination.

B. By the Office of the High Commissioner for Human Rights

15. The principal focus of OHCHR is to ensure the implementation of the Durban Declaration and Programme of Action by the various stakeholders. This is being done at several levels. Firstly, OHCHR services follow-up-mechanisms to the World Conference, such as the group of eminent persons, the Working Group of Experts on People of African Descent and the Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action. Secondly, OHCHR carries out technical cooperation projects at the national level. In the second half of 2003, assistance will be provided to develop national plans of action to combat racism; to a number of non-governmental organizations (NGOs) through the Assisting Communities Together (ACT) project for activities in the field of human rights education to combat discrimination; and to a number of national human rights institutions for activities in the field of awareness-raising about racism, racial discrimination, xenophobia and related intolerance. Thirdly, OHCHR is the lead agency responsible for integrating the Durban Declaration and Programme of Action into the mandates, programmes and projects of the United Nations. For this purpose, OHCHR has convened inter-agency meetings to exchange information and undertaken other joint activities. And finally, the liaison with NGOs and youth organizations includes sharing information with these constituencies on a regular basis and facilitating their participation in meetings, seminars and workshops convened by OHCHR.

16. The following actions were undertaken by OHCHR as a follow-up to the World Conference between January and July 2003:

(a) Panels/ meetings/ regional expert seminars:

(i) OHCHR serviced the Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action which met from 21 to 30 January 2003 (for its conclusions and recommendations, see E/CN.4/2003/20);

(ii) OHCHR also serviced the second session of the Working Group of Experts on People of African Descent from 3 to 7 February 2003 (for its conclusions and recommendations, see E/CN.4/2003/21). The third session of the Working Group will take place from 29 September to 10 October 2003;

(iii) A panel discussion entitled "Taking steps against racism" was convened to commemorate the International Day for the Elimination of Racial Discrimination (21 March);

(iv) OHCHR, in cooperation with the Government of Uruguay, organized a regional workshop on affirmative action for Afro-descendants in Latin America and the Caribbean in Montevideo in May 2003;

(v) Preparations for two regional expert seminars (for Eastern European States from 24 to 26 September in Prague and for Western European States from 10 to 12 December 2003 in Brussels) to discuss ways and means of implementing the Durban Declaration and Programme of Action are under way;

(vi) The first meeting of the group of five eminent experts will also be held in the second half of 2003;

(b) Publications:

(i) The issuance of a web-based publication to indicate what actions have been taken since the Conference to implement the Durban Declaration and Programme of Action is also under way. This publication will be entitled, "Making Progress: An Implementation Report on the Declaration and Programme of Action of the United Nations World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance";

(ii) Work was also commenced in 2002 on a revised and updated publication entitled, "The Gender Dimension of Racial Discrimination", to be issued jointly with the Division on the Advancement of Women in 2003;

(c) Database: work continued on the database on best practices called for in paragraph 191 (d) of the Durban Programme of Action; a study on best practices is in preparation and will be published;

(d) International Convention on the Elimination of All Forms of Racial Discrimination and other human rights instruments:

(i) The work of the Committee on the Elimination of Racial Discrimination (CERD) is continuously promoted in activities undertaken by OHCHR (e.g. at expert seminars and through publications and other documentation);

(ii) OHCHR issued a flyer on the entry into force on 1 July 2003 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;

(e) Liaison with NGOs, including youth groups (see also para. 15 above):

(i) The links with NGOs and youth groups are maintained and strengthened through the distribution of information, their involvement in activities organized by OHCHR and through regular consultations with them;

(ii) OHCHR also participates in NGO meetings relating to racism, racial discrimination, xenophobia and related intolerance to exchange ideas and information, to promote public awareness of OHCHR follow-up activities to the World Conference and to encourage participation in implementation efforts, including providing input to implementation reports to the Commission on Human Rights and the General Assembly;

(f) Liaison with United Nations agencies and other intergovernmental bodies:

(i) A joint workshop convened by OHCHR and the United Nations Educational, Scientific and Cultural Organization (UNESCO) to develop a publication to combat racism and to foster tolerance was held on 19 and 20 February 2003 in Paris (see E/CN.4/2003/19/Add.1). As a follow-up, OHCHR, in cooperation with UNESCO, is going forward with its plans to develop this publication;

(ii) OHCHR organized in May 2003 an inter-agency meeting in Geneva to inform other agencies about World Conference follow-up and to discuss future joint activities;

(iii) OHCHR representatives made presentations at meetings hosted by a number of partners, including: the "Thematic Networking Meeting" organized by the European Monitoring Centre on Racism and Xenophobia (EUMC) in February 2003 in Vienna and the UNESCO consultations for the African region on follow-up to the World Conference in February in Dakar and for the European region in March in Moscow;

(iv) On 11 August, OHCHR and the International Labour Organization (ILO) organized a panel discussion during the fifty-fifth session of the Sub-Commission on the Promotion and Protection of Human Rights and the sixty-third session of CERD to discuss multi-stakeholder initiatives at the national level to foster equality and non-discrimination in the workplace and wider community;

(g) Reporting activities: in addition to the reports mentioned above, OHCHR submitted reports on the Third Decade to Combat Racism and Racial Discrimination to the General Assembly through the Economic and Social Council (A/57/83-E/2002/72) as well as to the Commission on Human Rights at its fifty-ninth session (E/CN.4/2003/19).

C. By United Nations bodies, specialized agencies and international and regional organizations

17. The Joint United Nations Programme on HIV/AIDS (UNAIDS) has been engaged in a series of activities to contribute to the elimination of racial discrimination, xenophobia and related intolerance. UNAIDS has undertaken research, published materials, commended programmatic activities and conducted training and education campaigns to gain insight into HIV/AIDS-related racism, discrimination, stigma and denial. UNAIDS also works at[1] strengthening national mechanisms to promote and protect the human rights of victims of racism, racial discrimination, xenophobia and related intolerance who are infected by, affected by and vulnerable to HIV/AIDS. In the context of the World AIDS Campaign 2002-2003 on Stigma and Discrimination, UNAIDS has published a variety of documents recognizing the conjunction of racism and HIV/AIDS discrimination and related intolerance.[1]

18. Research has been conducted in Africa to understand stigma and discrimination against persons living with HIV/AIDS to inform the designers of appropriate and effective programmes. UNAIDS also provides training and education and has, together with UNESCO, developed the manual "Human Rights and HIV/AIDS Young People in Action". The manual has been used for training for Anglophone Africa, the Asian-Pacific region and the Arab region. Training is also planned for Eastern Europe and Francophone Africa. In 2003, a UNESCO/UNAIDS small grants facility was established to support implementation of projects addressing HIV/AIDS-related discrimination and related intolerance. Small grants have been approved for projects in Malawi, Sri Lanka, Mozambique, Zambia and Bangladesh.

19. UNESCO has organized a series of regional consultations to discuss the results of a number of studies carried out to take a closer look at particular aspects of racism, racial discrimination, xenophobia and related intolerance. UNESCO has also actively participated in consultations organized by OHCHR to follow up on the World Conference. As indicated previously, UNESCO and OHCHR jointly organized the Workshop to Develop a Publication to Combat Racism and Foster Tolerance in Paris in February 2003. UNESCO has also enhanced its partnership with UNAIDS and a number of activities have been carried out jointly by UNESCO and UNAIDS. As part of its efforts to find new partners, UNESCO has established cooperative relations with certain European municipalities engaged in the fight against racism and racial discrimination.

20. In the field of education, UNESCO has conducted a number of activities. Educational materials have been developed for the use of teachers. The Associate Schools Project (ASPnet) continued its efforts in awareness-

raising and an expert meeting was held on the subject "Textbooks and learning materials: components of quality education that can foster peace, human rights, mutual understanding and dialogue". The research programme on the slave route continued and has resulted in several publications.[2] On 21 March 2003, UNESCO organized various awareness-raising activities to mark the International Day for the Elimination of Racial Discrimination and in June 2003 the organization held an expert meeting in Japan on "Renewing the struggle against racism, racial discrimination, xenophobia and related intolerance".

21. The refugee-related issues addressed during the World Conference have been integrated into the strategic planning and operations of the Office of the United Nations High Commissioner for Refugees (UNHCR). In February 2002, the UNHCR Department for International Protection informed the entire Office about the Durban Declaration and Programme of Action and its relevance for UNHCR. The UNHCR Bureau for Europe states in its Strategic Directions for the period 2002-2004 that "with more and more people arriving in Europe in search of asylum or economic opportunities at a time when stricter immigration controls, law and order and questions of national identity are high on the public and political agenda, there is a growing incidence of racism, xenophobia and intolerance directed against refugees, asylum-seekers and non-nationals in general". On the operational level UNHCR has initiated a broad range of activities. In the 15 European Union States UNHCR has run a public awareness campaign aiming at ensuring smooth integration of recognized refugees. Other activities include seminars in Austria and Germany to familiarize journalists with the need for integration mechanisms and policies for refugees. To promote coexistence, the Peaceful Coexistence Initiative (PCI) has been successfully implemented in Bosnia and Herzegovina and Rwanda. UNHCR also provides legal counselling in many countries to refugees who are victims of crimes motivated by racism and racial discrimination.

22. ILO has continued to assist its constituents through a wide range of technical cooperation and assistance activities relating to the elimination of discrimination on the basis of race, ethnicity, sex, religion, or social origin. Through the relevant units at its headquarters and in the regions, ILO provides assistance in relation to its equality standards through legislative drafting, training, technical advisory services, capacity-building and awareness-raising activities.

23. ILO and Public Service International (PSI) will convene a conference in Peru in October 2003 to discuss the strengthening of public policy measures to eliminate discrimination in the region. In Africa, the Interregional Programme to Support Self-Reliance of Indigenous and Tribal Peoples and the Project to Promote ILO Policy on Indigenous and Tribal Peoples are being implemented successfully. In Asia, ILO is, inter alia, promoting ratification of Convention No. 111 and has recently launched a four-year project for the sustainable eradication of bonded labour in Pakistan, and encourages national initiatives to prevent discrimination against migrant workers. In Europe, a workshop in the context of the preparation of anti-discrimination legislation was held in Sofia in April 2003. ILO has completed two projects on the situation of the Roma in Eastern and Central Europe, in cooperation with the United Nations Development Programme (UNDP). As a result, a regional human development report on the Roma in Bulgaria, the Czech Republic, Hungary, Romania and Slovakia was launched in Brussels in January 2003. Labour migration will be the topic of the General Discussion at the International Labour Conference in Geneva in 2004. In preparation for this discussion, ILO is holding regional consultations and meetings on international labour migration.

24. ILO has continued its research during the year and published a number of books and papers relative to the issue of racism.[3] On the basis of the discussion of the Global Report *Time for Equality at Work*[4] at the International Labour Conference in June 2003, ILO is preparing a plan of action for technical cooperation to eliminate discrimination at work, which it is envisaged will be considered for adoption by the Governing Body in November 2003.

25. The United Nations Economic Commission for Latin America and the Caribbean (ECLAC) and the International Organization for Migration co-organized in November 2002 the "Hemispheric conference on migration and development: human rights and migrants and trafficking in human beings in America". ECLAC has

undertaken a preliminary analysis entitled "Roma people: international instruments. The recognition of their rights". This analysis also focuses on the results of the World Conference.

26. The European Commission has been continuing to monitor closely the incorporation of directives 2000/43 and 2000/78 into national law before the end of 2003. In relation to the two directives, an information campaign has been launched to provide information about the new rights and obligations under the directives and national implementing legislation. EUMC and the European Commission organized a series of round tables on anti-Semitism and Islamophobia in December 2002 and February and March 2003 in Brussels. Through its AGIS programme (2003-2007) the European Commission co-finances actions on, amongst other issues, police and judicial cooperation in criminal matters relating to racism and xenophobia and assistance to victims. The recently adopted "Commission communication on immigration, integration and employment" emphasizes the need to prevent racism and discrimination as part of a holistic approach towards integration. Other initiatives of the European Commission include education, training and youth programmes aimed at promoting intercultural learning and tolerance. Combating racism and racial discrimination is part of the funding priorities of the European Union's European Initiative for Democracy and Human Rights.

27. The Council of Europe reported that the European Commission against Racism and Intolerance (ECRI) adopted in December 2002 its general policy recommendation No. 7, containing the key elements for comprehensive national legislation to combat racism and racial discrimination. In March 2002, ECRI adopted a programme of action on relations with civil society. This programme of action represents a consolidation of the various aspects of the Commission's work with civil society and provides a platform for the development of new activities. The main elements of the programme of action are: the organization of information sessions in member States; thematic meetings and consultations with NGOs; the development of a communication strategy; activities targeted at political audiences; and close contact with the youth sector.

D. By non-governmental organizations

28. From 1 to 4 May 2003 a nationwide follow-up meeting to the World Conference entitled "Movement beyond borders: US communities building A multiracial justice and human rights vision" was organized by the non-governmental organizations American Friends Service Committee, Organizing Asian American Communities, Global Afro Latino Caribbean Initiative, International Human Rights Law Group, International Indian Treaty Council, International Possibilities Unlimited and Women of Color Resource Center in Washington DC. It brought together approximately 300 students, activists and academics and provided them with an opportunity for alliance-building and solidarity between grass-roots, national and international organizations and persons with an anti-racist agenda. The meeting discussed the state of the anti-racism movement in the United States and the outcomes of the World Conference as a tool to promote racial justice. The Special Rapporteur on contemporary forms of racism, Racial discrimination, xenophobia and related intolerance, Mr. Doudou Diène, took an active part in the conference.

29. The Anti-Defamation League, a Jewish organization in the forefront of the battle against anti-Semitism and bigotry and in defence of democratic values in the United States and abroad, convened Jewish leaders from around the world for the League's Conference on Global Anti-Semitism, which took place from 31 October to 1 November 2002. Representatives from 16 European countries, the former Soviet Union and the Americas worked for two days with political leaders with the objective of crafting a strategy to fight anti-Semitism. In the fall of 2002, the Anti-Defamation League published a *Global Anti-Semitism Source Book*, a compendium of articles and essays assessing and describing the phenomenon of anti-Semitism.

30. B'nai Brith of Canada documented anti-Semitic incidents, including physical violence against individuals and attacks on places of workshop, cultural centres, businesses and properties, the results of which were published in the "2002 Audit of Anti-Semitic Incidents".

31. The Canadian Race Relations Foundation organized a post-World Conference symposium on "Strengthening the agenda against racism in Canada". The symposium, which was attended by more than 100 anti-racism activists, resulted in the adoption of "Priorities" - a set of recommendations for the Plan of Action against Racism of the Government of Canada. The foundation also organized and coordinated two high-level meetings of government and police officials to discuss an action plan to respond to allegations of racial profiling of African Canadians. In addition, the foundation provided information to CERD on the occasion of its examination of Canada's combined thirteenth and fourteenth report to the Committee in August 2002. The Foundation also launched a report, "Learning about Walking in Beauty: Placing Aboriginal Perspectives in Canadian Classrooms", and developed an educational video kit entitled *Couleur Coeur* (Colour of the Heart).

32. At the Workshop on measures of affirmative action for persons of African descent from Latin America and the Caribbean organized by OHCHR in collaboration with the Government of Uruguay, held in Montevideo in May 2003, the International Human Rights Law Group organized a parallel event on "Affirmative action court cases in Brazil and the United States of America".

33. The Federal Institution Afroumbandista (IFA) of Uruguay reported on its work with the media and with Catholic schools to promote respect for diversity and religious diversity as one of the outcomes of the World Conference. The organization participated in the activities of the Regional Group for the Defense of Social Diversity, an umbrella organization of more than 20 organizations representing groups that are particularly vulnerable to discrimination, created to support a parliamentary project for the establishment of an anti-discrimination commission.

34. The Colombian Commission of Jurists reported that in 2002 and 2003 it continued to monitor the situation with regard to racial discrimination in Colombia and to advocate for concrete action by the Government to implement the Durban Declaration and Programme of Action .

35. The Andean Commission of Jurists, a non-governmental organization with headquarters in Peru, stated that it continued to monitor legislation and public policies in Bolivia, Chile, Colombia, Ecuador, Peru and Venezuela from a human rights perspective. It reported on progress made in the implementation of the Durban Declaration and Programme of Action in the States mentioned.

36. The National Action Committee for the Rights of Children and Women (CADEF) in Cameroon used the occasion of International Human Rights Day on 10 December 2002 to organize an activity aimed at sharing the Durban Declaration and Programme of Action with opinion shapers and policy makers. CADEF has also undertaken to translate the Durban Declaration and Programme of Action into local languages. In addition, it continued its efforts to sensitize social actors about the consequences of tribalism for the girl child and lobbied for the creation of a national commission against racism, racial discrimination, xenophobia and related intolerance in Cameroon. The Committee also presented a popular version of the provisions of the Durban Declaration and Programme of Action relating to women, youth and children in its publication *Children of the Future* and prepared a paper for the workshop organized by UNESCO and OHCHR on developing a publication to combat racism and foster tolerance. Finally, the CADEF developed an action plan to mobilize the support of young people for the creation of regional centres of support for victims of racism and tribalism.

37. The World Amazigh Congress, based in Paris, reported that it disseminated information on the Durban Declaration and Programme of Action among civil society groups. The organization also continued its attempts to sensitize public opinion and decision makers about racial discrimination against the Amazigh people by publishing information on specific cases of discriminatory treatment. The organization also submitted two shadow reports to CERD at its March 2003 session.

38. The Asia Pacific Forum on Women, Law and Development, a non-governmental organization based in Thailand, produced a CD-Rom with the title "What does the World Conference mean for Asia Pacific Women?"

The CD-Rom contains a comparative analysis of women's human rights in the Durban Declaration and Programme of Action, the Beijing Platform for Action and its five-year review, and the Convention for the Elimination of All Forms of Discrimination against Women.

39. The Romanian chapter of Penal Reform International published a booklet entitled "Discrimination against Roma in Criminal Justice and Prison Systems in Romania – A Comparative Perspective of the Countries in Eastern and Central Europe". The European Roma Rights Center, based in Hungary, dedicated the first two issues of its quarterly journal this year to Roma rights and anti-discrimination law at the international, regional and national levels.

40. The Brahma Kumaris World Spiritual University, a non-governmental organization based in the United Kingdom, reported on its educational programme "Living values", currently operating in 84 countries. It also organized a seminar in October 2002 featuring prominent figures from the black community in the United Kingdom and a workshop in May 2003 to explore truth and reconciliation through dialogue and the arts.

41. UNITED for Intercultural Action, a European network against nationalism, racism, fascism and in support of migrants and refugees based in the Netherlands, organized a conference from 25 to 29 June 2003 in Luxembourg on the theme "Intercultural action in an expanding Europe: developing anti-discrimination tools in a new European context".

42. A number of non-governmental organizations are active in the field of human rights education to prevent discrimination. The Centre for Human Evolution Sciences in association with the International Association Ius Primi Viri of Italy organized a training course for teachers, social workers and non-governmental organizations on "Racism, xenophobia and intolerance: plurality of cultures and universality of human rights" from October to December 2002 in addition to their standard human rights programme.

43. The Sikh Human Rights Group in the United Kingdom provided information on three conferences it organized to discuss the outcome of the World Conference, particularly as it relates to cultural diversity, migrants and refugees. It also organized anti-racism training for young people in March 2003. The group also participated in the consultation process for the elaboration of a national plan of action against racism in the United Kingdom.

44. The Movement against Racism, Anti-Semitism and Xenophobia (MRAX) in Belgium referred to two laws adopted in February and March 2003, the first one strengthening legislation against racism and the second one enlarging the grounds of discrimination. In its 2002 annual report, MRAX presented its initiatives and activities in the field of racism and discrimination. They included awareness-raising campaigns, educational programmes, a complaints bureau, the scrutiny of laws and policies and the monitoring of trends. Together with other non-governmental organizations, MRAX also published a report, *The situation of racism in Belgium,* in June 2003.

45. The National Bureau for Combating Racial Discrimination reported its participation in the elaboration of a national action plan against racism in the Netherlands. The Government of the Netherlands engaged in consultations with NGOs with a view to adopting an action plan against racism in 2003 and the National Bureau for Combating Racial Discrimination helped coordinate the consultation process, during which 27 non-governmental organizations formulated their views and recommendations.

46. At the fifty-ninth session of the Commission on Human Rights, the NGO Committee against Racism and Racial Discrimination organized a briefing for governmental and non-governmental delegates to the Commission on the implementation of the Durban Declaration and Programme of Action.

47. Migrants Rights International reported that it convened its network of non-governmental organizations belonging to the migration, refugees, asylum-seekers and internally displaced persons caucus. This meeting

provided an opportunity for the member organizations to report on their follow-up activities to the World Conference and to discuss the rise in racist and xenophobic trends in many parts of the world.

48. The National Network for Immigrant and Refugee Rights in the United States released a report on the World Conference entitled *A World on the Move*, as well as a documentary film, "Journey to Durban". Casa Diritti Sociali in Italy translated the Durban Declaration and Programme of Action into Italian. Advocating the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families has been the main focus of action for many non-governmental organizations working on migrant rights. Since the entry into force of the Convention on 1 July 2003, the migrant rights network has resolved to launch a non-governmental monitoring body to focus on the violations of the human rights of migrants worldwide.

49. Migrants Rights International also reported that it will produce a "World Conference toolkit for non-governmental organizations", a guide aimed at popularizing the outcome of the World Conference and making available model national action plans against racism.

E. By youth groups

50. International Possibilities Unlimited (IPU) highlighted the impact of racial discrimination in the juvenile justice system on young adults in the United States in a written statement submitted to the fifty-ninth session of the Commission on Human Rights. The organization has collected data on minority treatment in the criminal justice system, examined the effects of local laws on minority youth and exposed cases of police brutality.

51. During the fifty-ninth session of the Commission of Human Rights, young women representing the non-governmental organizations IPU, Nucleo de Estudos Negros (Brazil), the Young Men's Christian Association (YMCA) (El Salvador) and the National Coalition to Abolish the Death Penalty (United States) organized a parallel event on the criminalization of youth in communities of colour under the title, "Young women speak out against the criminalization of youth".

52. The National Coalition to Abolish the Death Penalty has produced a racial justice organizer's guide, offering comprehensive steps aimed at helping youth activists to effectively lobby governments to pass racial justice acts. Using the International Convention for the Elimination of All Forms of Racial Discrimination and the Durban Declaration and Programme of Action as the basis, the guide also teaches non-governmental organizations active in the area of social justice how to use international human rights standards for their activities at the local level. The organization shared the outcome of the World Conference with students at numerous colleges and universities.

53. In May 2003, over 300 young people attended a Youth Summit in Washington DC. The Youth Summit was organized by a diverse group of youth activists from across the country in the context of the national non-governmental conference "Movement beyond borders". With the intention of taking the messages of the World Conference beyond the language of documents, young people from various communities, including Hispanics, Asian Americans, native Americans and Arab Americans, discussed concrete strategies to challenge and change the systems and practices that discriminate against young people of colour.

54. Since the strong Canadian youth presence in the lead-up to and participation in the World Conference in 2001, many youth from across the country have been eager to create a national anti-racism youth network to enhance young people's capacity for information-resource sharing and advocacy. In October 2002, young people met to discuss the possibility of establishing such a youth network and, at the Canadian Race Relations Symposium in March 2003, the network was created.

55. In Asia, where the International Youth Summit that was organized just prior to the World Conference led to the creation of a global youth network, young people have focused their efforts on human rights education as a tool to combat racial discrimination, xenophobia and related intolerance. At a strategy meeting that took place in Bangkok in July 2002, youth delegates from 27 countries received training on human rights and adopted a regional plan of action. All participants were charged with conducting similar training workshops upon return to their countries. As a result, human rights training for young people has taken place in 18 countries of the Asian region, reaching some 630 youth leaders.

56. The Asian youth network has also created a website (www.aynhd.org) with articles, project information and discussions on human rights topics. The Asian youth network has established a partnership with the Voices of Youth project of the United Nations Children's Fund (UNICEF) and presented a paper on United Nations–youth partnership at the Asia Civil Society Forum organized by the Conference of Non-Governmental Organizations in Consultative Status with the Economic and Social Council (CONGO) in December 2002. Members of the network also contributed to the International Civil Society Forum held in Mongolia by providing a human rights training module by young people for young people.

57. The Indian Committee of Youth Organizations reported on the "National youth workshop on human rights education" that it organized from 27 to 29 March 2003 in New Delhi as a follow-up to the World Conference. Participants representing 26 non-governmental organizations from 12 different states of India attended the workshop, which resulted in the adoption of a youth declaration and plan of action aimed at improving inter-community relations in India through the promotion of human rights.

58. The International Caucasus Foundation on Minority Issues organized a human rights training workshop from 21 to 25 August 2003 in Baku with the objective of promoting human rights as a tool for combating xenophobia, engaging youth representatives from different ethnic communities in a dialogue on respect for diversity, and coordinating advocacy efforts of youth organizations with a view to enhancing the implementation of the Durban Declaration and Programme of Action at the national and subregional levels. Youth representatives from different communities of the countries in the Caucasus were expected to participate in the workshop and to spread the knowledge acquired within their communities upon their return.

59. The Youth Board of Cyprus is striving to promote the active participation of all young people in the social, economic and cultural development of the country, irrespective of religion and ethnic origin. In March 2003, the Youth Board published a photo album entitled "Parallel Lives", depicting the life of immigrants in Cyprus and spreading an anti-racist message. The photo album was distributed to government officials, youth organizations, NGOs, youth centres and libraries. Every year the Youth Board organizes a "children against racism" camp for children aged 9 to 12, thus sensitizing young people at an early stage about the scourge of racial discrimination and allowing them to meet children of different nationalities living in Cyprus. Together with the Immigrant Support Action Group, the Cyprus Youth Board organized a drawing contest on respect for diversity It also produced information leaflets for immigrants under the title "Claim Your Rights". In addition, the Youth Board of Cyprus highlighted the Action Week against Racism (15-22 March 2003) by organizing a number of activities, such as a round-table discussion for the International Day for the Elimination of Racial Discrimination.

60. The non-governmental organization Young Women from Minorities organized, in association with the European Youth Centre Budapest, a study session on "Social exclusion and minority women's health" from 11 to 18 May in Budapest. Approximately 40 women, mainly from Roma, Asian and African communities in Europe, discussed the challenges they were facing in the fields of reproductive rights, trafficking, mental health and structural racism, inter-cultural tolerance and understanding and explored possible ways of addressing these problems.

61. The Foundation for Tolerance Education of South Africa is committed to improving harmony and eradicating prejudice amongst the youth. In 2002 and 2003, the Foundation's trainers presented anti-racism

programmes in over 100 schools throughout the country, reaching approximately 15,000 students per year. The Foundation also set up a leadership project to help students become "ambassadors for tolerance" in their communities. In addition, the Foundation conducted 40 anti-bias/anti-discrimination workshops for teachers in three provinces, thus reaching out to more than 750 educators, including teachers, principals and the management of the Department of Education. The ongoing training programme aims to combat stereotypes and prejudice and to encourage behavioural change.

62. The youth network of the Americas has made the Spanish publication *Modelos que Funcionan: Juventud Organizándose para la Conferencia Mundial contra el Racismo, la Discriminación Racial, la Xenofobia y Formas Conexas de Intolerancia* (*Models That Work: Youth Organizing for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance*) available on its web site (http://caucusjovenes.tripod.com.pe/caucusjovenes). The publication describes the coming of age of the youth caucus in the preparatory stages of the World Conference, its success and difficulties in having the voice of young people heard, and evaluates young people's participation in the World Conference and the International Youth Summit. The publication is a joint initiative of the non-governmental organizations Geledes from Brazil, Madre from Colombia, Demus from Peru, Elige from Mexico and the Indigenous Kuna Youth Movement from Panama.

63. The Indigenous Kuna Youth Movement organized, from 1 to 3 August 2003, a national meeting of indigenous youth that was attended by 100 young people between the ages of 13 and 22. At the meeting, the outcomes of the World Conference and the International Youth Summit were discussed, as well as the problems that indigenous youth are confronted with in the fields of racial discrimination, gender discrimination, employment and police violence. In their conclusions, the young indigenous leaders advocated the adoption of a genuine youth policy within the indigenous communities, as well as better representation of indigenous youth in national advisory bodies. The importance of promoting intercultural, multilingual and multicultural education to combat racial discrimination was emphasized.

64. The Asociación de la Juventud Indígena Argentina (Argentine Association of Indigenous Youth) reported on the creation of a postgraduate programme on the rights of indigenous people at the University of Buenos Aires and its role in the coordination of the academic programme.

65. The Afro-descendant Youth Network of Latin America exchanges information and elaborates joint strategies. Twenty youth delegates of the Network met in Santa Fé, Argentina, to strengthen their alliance and discuss strategies for continued advocacy for the implementation of the Durban Declaration and Programme of Action. The organizations represented at the meeting were Lundú from Peru, Casa Indo Afroamericana from Argentina, Fundación Oro Negro from Chile, Kamba Cua from Paraguay and Mundo Afro from Uruguay.

66. The youth chapter of the non-governmental organization Mundo Afro has made the promotion of the Durban Declaration and Programme of Action the centrepiece of its action. In this context, the youth movement participated in a panel discussion organized by the provincial authorities of Montevideo on "Discrimination, racism and xenophobia". The discussion focused on how the Durban Declaration and Programme of Action affects young people of African descent, the need to improve the collection and analysis of data, and the importance of adopting positive measures for young Afro-Uruguayans. The youth chapter also had a meeting with the Minister of Youth, during which it presented the organization's plan of action adopted after the World Conference and was able to formulate concrete proposals for action by the Government on issues of particular concern to young men and women of African descent. As a result of the meeting an agreement was signed between the Minister of Youth, the National Institute for Youth and the youth chapter of Mundo Afro. Youth delegates of Mundo Afro also participated in a panel on "Ethnicity and health". On 8 December 2002, the youth chapter of Mundo Afro organized a national consultation of youth of African descent to share the results of the World Conference.

III. Conclusions and recommendations

67. **This report indicates that States, United Nations bodies, specialized agencies and international, regional and non-governmental organizations are in various phases of implementing the Durban Declaration and Programme of Action. The significant number of responses indicating follow-up to the World Conference is to be viewed very positively. OHCHR will continue its efforts to encourage States and others to implement the Durban Declaration and Programme of Action through its programme of activities, which is coordinated by the OHCHR Anti-Discrimination Unit.**

Notes

[1] Fighting HIV/AIDS-related Intolerance: Exposing the Links between Racism, Stigma and Discrimination; HIV/AIDS Stigma and Discrimination: A Conceptual Framework and Basis for Action; UNAIDS Compendium on Discrimination, Stigma and Denial; A protocol for the identification of discrimination against people living with HIV; Revised Guideline 6 of the International Guidelines on HIV/AIDS and Human Rights.

[2] UNESCO published in 2002 two works on the historical and ideological links between slavery and racism, namely, *Déraison, esclavage et droit: les fondements idéologiques et juridiques de l'esclavage et de la traite négrière* and *Montesquieu, Rousseau, Diderot : du genre humain au bois d'ébène*.

[3] *Fundamental Rights at Work and International Labour Standards* in June 2003 and *Corporate Success Through People – Making International Labour Standards Work For You*, both of which feature chapters on non-discrimination.

[4] See http://mirror/public/english/standards/decl/publ/reports/report4.htm.

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The human rights situation in Myanmar

Report of the Secretary-General

Summary

The present report is based upon the good offices efforts undertaken by the Secretary-General and his Special Envoy, Razali Ismail, in attempting to facilitate national reconciliation and democratization in Myanmar, in accordance with General Assembly resolution 57/231 of 18 December 2002. The discussions that the Secretary-General and his Special Envoy have had separately with the Myanmar authorities during this reporting period continued to focus on the issue of how the United Nations can be of assistance in facilitating the national reconciliation process in Myanmar. During this period, the optimism that followed the lifting of the remaining restrictions on Daw Aung San Suu Kyi on 11 May 2002 dissipated. Contrary to the expectations of the Myanmar people, who are overwhelmingly in favour of change, and the United Nations, there was no substantive progress towards national reconciliation and democratization in Myanmar. Following the events in northern Myanmar of 30 May, which resulted in the detention of Daw Aung San Suu Kyi and other leaders of the National League for Democracy (NLD), Myanmar's embryonic and home-grown national reconciliation process, as understood by the United Nations, was halted. Daw Aung San Suu Kyi and other NLD leaders still remain detained and incommunicado at the time of this reporting. The Secretary-General remains gravely concerned about the safety and well-being of these NLD leaders and others detained after 30 May and reiterates his call for the Myanmar authorities to remove, without delay, all the restrictions imposed on their freedom of movement and political activities. He is also seriously concerned that the absence of

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progress in the process of national reconciliation and democratization is to the detriment of the Myanmar people, who voted for change in 1990 and deserve to experience the same benefits of economic, civil, social and political development as their counterparts in neighbouring countries. The Secretary-General reiterates his determination to do his utmost to revive the national reconciliation process if all parties are willing. He particularly appeals to the leaders of the State Peace and Development Council to release Daw Aung San Suu Kyi and commence substantive political dialogue with her immediately, so that national reconciliation and democratization in Myanmar can be achieved at an early date, with the participation of all the interested parties concerned, and in a way that brings immediate and tangible benefits to the Myanmar people.

I. Introduction

1. The present report is submitted in compliance with paragraph 6 of General Assembly resolution 57/231 of 18 December 2002, entitled "Situation of human rights in Myanmar", in which the Assembly requested the Secretary-General to continue to provide his good offices and to pursue his discussions on the situation of human rights and the restoration of democracy with the Government and people of Myanmar, to submit additional reports to the Assembly during its fifty-seventh session on the progress of those discussions and to report to the Assembly at its fifty-eighth session and to the Commission on Human Rights at its fifty-ninth session on the progress made in the implementation of that resolution.

2. As indicated in his previous reports, the role entrusted to the Secretary-General by the General Assembly is specifically that of good offices, as opposed to the fact-finding mandate assigned by the Human Rights Commission to the Special Rapporteur. In this context, the Assembly, by its resolution 57/231, welcomed the visits to Myanmar during the past year by the Special Envoy of the Secretary-General.

3. In implementation of resolution 57/231, the Special Envoy visited Myanmar twice during the reporting period, from 12 to 16 November 2002 and from 6 to 10 June 2003, in addition to the eight missions he had undertaken previously. During his November visit, it became apparent to him that the process of national reconciliation had stalled. Daw Aung San Suu Kyi and members of her party continued to travel around the country and to reopen party offices. However, there was growing harassment and increasingly violent intimidation of National League for Democracy (NLD) members and their supporters by the Government-sponsored Union Solidarity and Development Association. Despite some high-profile releases, the detention of members of NLD and other political activists has continued. Moreover, contrary to expectations, no high-level dialogue between members of the State Peace and Development Council (SPDC) and Daw Aung San Suu Kyi occurred. Following the incident of 30 May, when the NLD convoy led by Daw Aung San Suu Kyi was violently obstructed by pro-Government supporters, the dialogue process was halted.

4. The 30 May incident led to a modification in the mission of the Special Envoy's June visit from focusing on facilitating dialogue between the Government and Daw Aung San Suu Kyi for national reconciliation to primarily securing access to and the immediate release of the detained NLD leaders. In an attempt to achieve those objectives, the Special Envoy met with Vice Senior General Maung Aye and General Khin Nyunt, Vice-Chairman and Secretary-1 of SPDC, respectively, and requested to meet with Daw Aung San Suu Kyi and other NLD leaders and that all restrictions placed on them be lifted immediately. Other interlocutors on the Government side, whom the Special Envoy met during the visit, included U Win Aung, Minister for Foreign Affairs, U Khin Maung Win, Deputy Minister for Foreign Affairs, Colonel Tin Hlaing, Minister of Home Affairs, and U Than Aung, Minister of Education. During his November visit, the Special Envoy also met with Senior General Than Shwe, Chairman of SPDC. He was not able to meet with the Senior General during the June visit.

5. The Special Envoy was allowed to meet with Daw Aung San Suu Kyi briefly on 10 June, shortly before his departure on the last day of his five-day visit. After

the meeting, which took place within a prison compound near Yangon, he confirmed that Daw Aung San Suu Kyi was "well and in good spirits". Because of their detention, it was not possible for him to see other members of the NLD Central Executive Committee, including Chairman U Aung Shwe, Vice-Chairman U Tin Oo and Spokesman U Lwin, with whom he had met during his November visit. The Special Envoy's request to release Daw Aung San Suu Kyi and other NLD leaders immediately from detention was not granted. Likewise, he did not receive any indication from the Government of when they would be released, nor did he receive any indication as to when efforts to bring about national reconciliation and a transition to the restoration of democracy through dialogue would resume.

6. During his November 2002 and June 2003 visits, the Special Envoy had discussions with representatives of the ethnic nationality political groups, including the United Nationalities Alliance (UNA), as well as with certain members of the diplomatic corps, the United Nations country team and international non-governmental organizations in Myanmar, including the International Committee of the Red Cross (ICRC).

7. On his part, the Secretary-General conveyed his thinking on the national reconciliation process in a letter addressed to Senior General Than Shwe, who is also the Prime Minister of the Union of Myanmar, on 24 April 2003. The Secretary-General urged him to reinvigorate the national reconciliation process, while at the same time expressing his concern about the fact that the Government had not been able to arrange a visit for his Special Envoy since January 2003. After the events of 30 May, the Secretary-General wrote again to the Senior General on 4 June, expressing his serious concern about the evolving situation in Myanmar, in particular the safety, well-being and whereabouts of Daw Aung San Suu Kyi and other NLD leaders. In response, the Senior General sent his special envoy, Deputy Foreign Minister U Khin Maung Win, to deliver his letter to the Secretary-General. The Secretary-General received the special envoy at Headquarters on 16 July, at which time he handed to him an aide-memoire, which contained the major points of his message, to pass to the Senior General.

II. Contents of the discussions

8. The Myanmar authorities gave their view of the 30 May incident in their discussions with the Special Envoy in Yangon and in the Senior General's letter addressed to the Secretary-General. They maintain that clashes took place between the supporters of Daw Aung San Suu Kyi and local inhabitants opposing her when her motorcade was near the town of Dapayin on 30 May. With four people dead and 48 others injured in the clashes, the Government was compelled to take temporary measures to place Daw Aung San Suu Kyi and other members of NLD under "protective custody". Daw Aung San Suu Kyi and other NLD leaders, including Vice-Chairman U Tin Oo, are safe and well, according to the Government. At the same time, the Government claimed that it had obtained "evidence" of a "conspiracy plan coordinated by NLD with the insurgents at the border areas to create an anarchic situation similar to that which had prevailed in the country in 1988". The Government further alleges that the plan was due to have been successfully completed by 19 June, the birthday of Daw Aung San Suu Kyi, and that it envisaged the handing over of power three months later on 19 September. The Government maintains that Daw Aung San Suu Kyi is kept in a safe place and is no longer in the

compound of the Insein Prison, and that it is taking good care of her by providing food and clothes. According to ICRC representatives who have been allowed to see the detainees of the 30 May incident, U Tin Oo is also unhurt. However, the detention of Daw Aung San Suu Kyi under section 10 (a) of the 1975 State Protection Law, as understood by the Special Envoy, is worrisome, because that section allows the Government to detain anyone suspected of threatening national security for up to five years. The Government, while emphasizing that the restrictions imposed on Daw Aung San Suu Kyi and other NLD leaders are of a temporary nature, has thus far failed to provide the United Nations with any clear time frame as to when the restrictions will be lifted.

9. The Secretary-General and his Special Envoy told the Myanmar authorities that the United Nations and the international community were not convinced by the explanation that the Government had been forced to act because Daw Aung San Suu Kyi and her NLD colleagues were threatening national security. According to some eyewitness accounts and other information the United Nations has received, the 30 May incident was a premeditated ambush orchestrated by certain groups within the military.

10. The points that the Secretary-General and his Special Envoy made to the Myanmar authorities, both jointly and separately on several occasions since 30 May, were that: (i) Daw Aung San Suu Kyi and her NLD colleagues should be released without further delay; (ii) the Government is responsible for ensuring their safety, in or out of detention; (iii) all political detainees should be released and the freedom of movement and lawful political activities ensured; (iv) the only way to build durable peace in Myanmar is for the Government to take the initiative and start political dialogue immediately with Daw Aung San Suu Kyi and other parties, including representatives of the ethnic nationalities; and (v) although the events of 30 May have seriously undermined it, the national reconciliation process could be saved with efforts from all parties. The Secretary-General also welcomed the consistent position that the Association of Southeast Asian Nations (ASEAN) has taken on the issue and requested the Myanmar authorities to extend the necessary cooperation to the proposed ASEAN high-level mission.

11. During his last visit, the Special Envoy met with representatives of various ethnic nationality political groups, including those of UNA and the Committee Representing People's Parliament (CRPP). All of them voiced their serious concern about the detention of senior NLD leaders, anxieties about the lack of progress in the national reconciliation process and fear about their increased vulnerability following the 30 May incident. Those parties requested the United Nations to explore further measures to move the process forward. The Special Envoy also met with the National Unity Party, a pro-Government ethnic nationality political party.

III. Observations

12. **As a result of the events of 30 May and subsequent developments, the three-year-old home-grown process of national reconciliation, as understood by the United Nations, has come to a complete halt. The longer the detention of Daw Aung San Suu Kyi and other NLD leaders goes on and the longer sustained absence of substantive dialogue continues, the harder it will be to revive the process. Despite this prognosis, the Secretary-General continues to**

believe that dialogue remains the answer to the challenges confronting Myanmar today and that there is still a small window of opportunity at the present moment to save the process.

13. As the Secretary-General stated in his previous report, the objectives of ensuring stability and the multi-ethnic nature of Myanmar's society and pressing ahead with the transition to the return of democracy and other much needed reforms are mutually compatible. While recognizing the desire on the part of the Government to build a strong and stable nation that can withstand challenges to its territorial integrity, any system of governance is more stable and sustainable when it is flexible enough to accommodate diverse opinions and allow peaceful change. This is all the more necessary in the current international and regional environments, where rapid economic progress is accompanied by the requisite social change. The Secretary-General is convinced that the primary job of a Government is to ensure the well-being of its people with respect to human rights and fundamental freedoms, as well as to enhance the stability of the country.

14. The people of Myanmar have waited too long for change and for the benefits that change will bring. The Secretary-General therefore appeals once again to Senior General Than Shwe and other leaders of the Government to release Daw Aung San Suu Kyi and her colleagues without delay and to initiate immediately substantive dialogue with NLD. Dialogue that includes the ethnic nationality groups should occur soon after or in parallel. The Secretary-General continues to maintain that it is only through an all-inclusive dialogue that the Government of Myanmar will be able to ensure that national reconciliation is durable, the transition to democracy is smooth and Myanmar's future as a stable, prosperous and multi-ethnic nation is secure.

15. Unless the parties concerned are able to engage in substantive dialogue, the international community will have to conclude that the home-grown national reconciliation process no longer exists. It would then fall on the General Assembly to review the situation carefully and to provide, in its resolution, a clearer framework for further action by Member States and the Secretary-General as to how to help promote national reconciliation and democratization in Myanmar.

16. The Secretary-General is very grateful for the support that interested Member States, both inside and outside the region, have provided to him and to his Special Envoy. In particular, he wishes to commend the crucial role that ASEAN has played since its ministerial meeting in Phnom Penh in June. He has also noted the growing interest among certain countries in the region to help facilitate the all-inclusive democratic transition process in Myanmar. The United Nations, ASEAN and the international community at large must join hands in order to facilitate the democratic transition in Myanmar in time for 2006, when the country assumes the ASEAN chairmanship. For his part, the Secretary-General stands ready to do his utmost, together with all interested Member States, to reinvigorate the process of national reconciliation in Myanmar.